

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KYLE L. CAMPANELLI,

Plaintiff,

v.

IMAGE FIRST HEALTHCARE
LAUNDRY SPECIALISTS, INC., et al.,

Defendants.

Case No. 15-cv-04456-PJH

ORDER RE JOINT STATEMENT

Re: Dkt. No. 107

The court previously ordered the parties to submit a stipulated briefing schedule for defendants' motion for summary judgment related to the Supreme Court's decision in Epic Systems Corp. v. Lewis, No. 16-285. Dkt. 106. The same order provided that if the parties believed that motion to be "unnecessary," then the parties could file a joint status statement outlining proposed next steps. Id.

The court is now in receipt of the parties' competing proposals for next steps. Defendants propose filing their Epic-related motion for summary judgment before plaintiff's motion for, inter alia, conditional collective action certification. Plaintiff proposes that those motions should be filed in the opposite order. Importantly, neither party believes that defendants' Epic-related motion for summary judgment is "unnecessary." Instead, the parties only dispute the timing of the above motions.

The court has twice previously decided that issue. Dkts. 88 at 6, 106 at 1-2. The court needs to know who can be part of the class/collective action before plaintiff moves for conditional certification and before notice of this action is sent to the putative collective/class members.

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Accordingly, defendants shall file their Epic-related motion for summary judgment by July 6, 2018.

IT IS SO ORDERED.

Dated: June 15, 2018



PHYLLIS J. HAMILTON
United States District Judge